

REMARKS

By this Amendment, Claims 7, 10, 12, 13 and 17 are amended, and new Claims 20-21 are added, leaving Claims 1-21 pending in the application. Claims 1-6, 18 and 19 were withdrawn from consideration. No new matter is added by the amendments. Favorable consideration and allowance of the pending claims are respectfully requested in light of the following remarks.

Allowable Subject Matter

Applicants gratefully acknowledges that the Office Action indicates Claim 17 contains allowable subject matter. Claim 17 is rewritten in independent form including the combined features of Claims 7 (without the above amendments) and 17 and, accordingly, is allowable.

Claim Objection

Claim 12 was objected to under 37 C.F.R. § 1.75(c). Claim 12 is amended to address the objection set forth in the Office Action. Withdrawal of the objection is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 7-16 were rejected under 35 U.S.C. § 103(a) over U.S. Design Patent No. D439,219 to Minagawa et al. ("Minagawa") in view of U.S. Design Patent No. D455,397 to Weiner et al. ("Weiner") for the reasons set forth at numbered section (4) of the Office Action. The rejection is respectfully traversed.

Claim 7, as amended, recites a stand for an electrically heated cigarette smoking device, which comprises a base configured to removably support an electrically heated cigarette smoking device including a rechargeable power supply and a charger adapted to support the electrically heated cigarette smoking device, the base including electrical contacts which electrically contact electrical contacts on the electrically heated cigarette smoking device to electrically connect the rechargeable power supply to the stand, and a surface configured to fit removably in a receptacle and/or to support the stand on an external surface; and wherein the stand is operable to supply electrical power to the rechargeable power supply and the charger when the electrically heated cigarette smoking device and the charger are supported on the base and the stand is electrically connected to an external power source via an electrical conductor (emphasis added). FIG. 13 shows an exemplary embodiment of the stand in which the charger 49 and electrically heated smoking device 48 are removably supported on the base of the stand 40, and the stand 40 is removably received in a receptacle 50. FIG. 14 shows another exemplary embodiment in which the charger 49 and electrically heated smoking device 48 are removably supported on the base of the stand 40, and the stand 40 is supported on an external surface 58.

Applicants respectfully submit that the combination of Minagawa and Weiner does not suggest the stand recited in Claim 7. Each of Minagawa and Weiner discloses a charger for an electrically heated smoking device. Neither Minagawa nor Weiner discloses or suggests a stand on which an electrically heated smoking device including a charger is supported. Accordingly, Claim 7 is patentable over the applied references.

Claims 8-16, which depend, from Claim 7, are also patentable over the applied references for at least the same reasons as those for which Claim 7 is patentable. Therefore, withdrawal of the rejection is respectfully requested.

New Claims

New Claims 20 and 21 depend from allowable Claim 17 and thus are also allowable.

Conclusion

For at least the foregoing reasons, allowance of the application is respectfully requested. Should the Examiner have any questions concerning this reply or the application in general, the undersigned can be reached at the telephone number given below.

Respectfully submitted,

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